

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Project No. 2232-346]

**Duke Energy Corporation; Notice of Availability of Environmental Assessment**

June 3, 1998.

An environmental assessment (EA) is available for public review. The EA was prepared for an application filed on May 30 1997, by the Duke Energy Corporation, licensee for the Catawba-Wateree Hydroelectric Project. In its application, the licensee requests permission from the Commission to allow Crescent Resources, Inc.

(Crescent) to dredge a 0.69 acre area of lake bottom to improve boat access to previously approved, yet unconstructed, boat slips. About 7,500 cubic yards of lake bottom would be removed. By order dated September 7, 1996, the Commission granted the licensee permission to allow Crescent to construct a boat ramp and 191 boat slips at the subject site to accommodate the residents of Harbour Subdivision. After further evaluation, Crescent determined that dredging is needed to provide adequate boat access to some of the slips. The EA considers the environmental effects of constructing and using the floating slips as well as the proposed dredging activity.

The EA finds that the proposed action would not constitute a major Federal action significantly affecting the quality of the human environment.

The EA was written by staff in the Office of Hydropower Licensing, Federal Energy Regulatory Commission. Copies of the EA can be obtained by calling the Commission's Public Reference Room at (202) 208-1371.

**David P. Boergers,**

*Acting Secretary.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6109-4]

**Agency Information Collection Activities: Proposed Collection; Comment Request; National Pollutant Discharge Elimination System and Sewage Sludge Management State Programs**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit the following continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB): National Pollutant Discharge Elimination System and Sewage Sludge Management State Programs, EPA ICR No. 0168.07, and OMB Control No. 2040-0057, expires August 31, 1998. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before August 10, 1998.

**ADDRESSES:** Angela Lee, U.S.EPA, Permits Division, Mail Code 4203, 401 M. Street SW, Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:**

Angela Lee, Phone: (202) 260-6814, Fax: (202) 260-9544, E-mail:

lee.angela@epamail.epa.gov. A copy of the ICR can be obtained by writing to the preceding address.

**SUPPLEMENTARY INFORMATION:**

**Affected entities:** Entities potentially affected by this action are State and Tribal governments and governments of U.S. Territories.

**Title:** National Pollutant Discharge Elimination System (NPDES) and Sewage Sludge Management State Programs, (OMB Control No. 2040-0057; EPA ICR No. 0168.07) expiring 8/31/98.

**Abstract:** Under the NPDES program, States, Federally Recognized Indian Tribes, and U.S. Territories, hereafter referred to as States, may acquire the authority to issue permits. States that administer NPDES programs are also required to obtain pretreatment authority (authority to require publicly owned treatment works (POTWs) to establish pretreatment programs and to require that indirect dischargers meet pretreatment standards) and authority to issue permits to federal facilities. These governments have the option of acquiring authority to issue general permits (permits that cover a category or categories of similar discharges). States with existing NPDES programs must submit requests for program modifications to add pretreatment, Federal facilities, or general permit authority. In addition, as federal statutes and regulations are modified, States must submit program modifications to ensure that their program continues to meet Federal requirements.

States have the option of obtaining a sludge management program. This program may be a component of a State

NPDES Program, or it may be administered as a separate program. To obtain a NPDES or sludge program, a State must submit an application that includes a program description, an Attorney General's Statement, draft Memorandum of Agreement (MOA) with the EPA Region, and copies of the State's statutes and regulations.

Once a State obtains authority for an NPDES or sludge program, it becomes responsible for implementing the program in that jurisdiction. The State must retain records on the permittees and perform inspections. In addition, when a State obtains NPDES or sludge authority, EPA must oversee the program. Thus, States must submit permit information and compliance reports to the EPA.

When EPA issues a permit in an unauthorized State, that State must certify that the permit requirements comply with State water laws. According to the Clean Water Act (CWA) (section 510), States may adopt discharge requirements that are equal to or more stringent than requirements in the CWA or Federal regulations.

The purpose of this ICR is to revise and extend the current recordkeeping and reporting requirements associated with State NPDES and sludge programs. There are three categories of reporting requirements that are covered by this ICR. The first category, "State Program Requests," includes the activities States must complete to request a new NPDES or sludge program, or to modify an existing program. The second category, "State Program Implementation," includes the activities that approved States must complete to implement an existing program, such as certification of EPA-issued permits by non-NPDES States. The third category, "State Program Oversight," includes activities required of NPDES States so that EPA may satisfy its statutory requirements for state program oversight.

The information collected by EPA is used to evaluate the adequacy of States' NPDES or sludge program and to provide EPA with the information necessary to fulfill its statutory oversight functions over State program performance and individual permit actions. EPA will use this information to evaluate States' requests for full or partial program approval and program modifications. In order to evaluate the adequacy of a State's proposed program, appropriate information must be provided to ensure that proper procedures, regulations, and statutes are in place and consistent with the CWA requirements.

An agency may not conduct or sponsor, and a person is not required to